IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Crl.Rev.Pet.No. 657 of 2000()

CRA.283/1998 of SESSIONS COURT, THRISSUR
CC.143/1996 of JUDL. MAGISTRATE OF FIRST CLASS COURT, CHAVAKKAD

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REVN. PETITIONER:

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1. SHANMUGHAN, S/O.KUTTAPPU,
MEPPURATH HOUSE,
AMBEDKAR COLONY,
ORUMANAYOOR VILLAGE,
CHAVAKKAD TALUK.

2. JANARDHANAN, S/O.APPU,
MANI VIGRAHAM VEETTIL,
BLANGAD DESOM,
ORUMANAYOOR VILLAGE,
CHAVAKKAD TALUK.

BY ADV. SRI.RAJIT

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NOS.3613/2000, 4153/2000 & 1459/2001 IN
CRL.R.P.NO.657/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

20/11/2007

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K.R.UDAYABHANU, J.

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Crl. R.P.No.657 of 2000

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Dated this the 20th day of November, 2007

O R D E R

The revision petitioners stand convicted for the offences under Sections 324 and 458 read with Section 149 I.P.C and sentenced to undergo simple imprisonment for six months each for the offence under Section 324 I.P.C and; to pay a fine of Rs.5,000/- each and in default to undergo simple imprisonment for three months each for the offence under Section 458 I.P.C.

2. The prosecution case is that the accused on 06/01/1996 at about 11.45 in the night committed rioting and inflicted injuries on PW.1 and his daughter and caused loss to the tune of Rs.4,000/-.

3. The counsel for the revision petitioners has only sought for modification of sentence. It is submitted that the incident has taken place more than 11 years back and that the incident was a political clash and right now the parties have settled their differences and that so far the accused were facing the criminal proceedings and living under considerable strain.

4. In the circumstances, the sentence imposed for the offence under Section 324 I.P.C is modified to pay a fine of rupees five thousand each and in default to undergo simple imprisonment for six months each. The sentence imposed for the offence under Section 458 I.P.C is sustained. The fine amounts, if realised, shall be paid to PW.1. The criminal revision petition is disposed of as above.

Sd/-

K.R.UDAYABHANU,
Judge

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